

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ANTHONY J. FUTIA, JR.,

Plaintiff,

-against-

22 CIVIL 6965 (VB)

JUDGMENT

UNITED STATES OF AMERICA,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated April 24, 2023, Defendant's motion to dismiss is GRANTED. Plaintiff's motion for preliminary relief is DENIED as moot. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 44445 (1962); accordingly, the case is closed.

Dated: New York, New York

April 25, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk